

)	
JOSE VERA,)	
)	
Petitioner,)	
)	
v.)	Civil Action No.
)	16-12457-FDS
JOSEPH MURPHY,)	
)	
Respondent.)	
)	

On May 24, 2017, petitioner moved to stay resolution of his unexhausted ineffective-assistance claim pending the exhaustion of his state-court remedies. In the alternative, petitioner moved to dismiss his ineffective-assistance claim and proceed on his sole exhausted claim.

On June 1, 2017, the Court denied petitioner's motion to stay, to the extent that it sought to stay resolution of his claims pending exhaustion of state-court remedies. Instead, the Court granted the motion to dismiss petitioner's unexhausted claim, based on ineffective assistance of counsel, and to proceed on only the exhausted claim, concerning the trial court's admission of evidence of prior bad acts over the objections of trial counsel. The Court also denied respondent's motion to dismiss, which was based only on the ground of failure to exhaust.

In April, July, and August of 2018, the Court granted petitioner's motions for extensions of time to file his memorandum in support of his petition for a writ of habeas corpus. Petitioner was ultimately given until October 31, 2018, to file his memorandum, which he failed to do. He has not demonstrated good cause for the failure, and none is apparent from the record.

For the foregoing reasons, the petition for a writ of habeas corpus is hereby DISMISSED for failure to prosecute.

So Ordered.

Dated: November 5, 2018

/s/ F. Dennis Saylor
F. Dennis Saylor IV
United States District Judge